

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

Xu Lun, a pseudonym,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 24-cv-803-NJ
)	
Milwaukee Electric Tool Corporation et al.,)	
)	
Defendant.)	
)	

**DEFENDANT TECHTRONIC INDUSTRIES CO. LTD.’S
MOTION TO DISMISS PURSUANT TO RULE 12(b)(2) AND 12(b)(6)**

Defendant Techtronic Industries Co. Ltd. (“TTI”), by and through its attorneys, respectfully move the Court for an Order dismissing pseudonymous Plaintiff Xu Lun’s Complaint (Dkt. # 1) pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure. As set forth in the accompanying memorandum of law and declaration in support of the motion filed contemporaneously herewith, this Court lacks both general and specific personal jurisdiction over TTI, and TTI should accordingly be dismissed from this action under Rule 12(b)(2). In addition, Plaintiff cannot state a plausible claim for relief under his sole cause of action for violation of the Trafficking Victims Protection Reauthorization Act (“TVPRA”), 18 U.S.C §§ 1589 and 1595(a). Among other reasons, Plaintiff fails to state a claim because the civil remedies provision of the TVPRA, 18 U.S.C. § 1595(a), does not apply to the extra-territorial conduct alleged here and the TVPRA’s jurisdictional provision, 18 U.S.C § 1596, does not apply to a foreign entity such as TTI not present in the United States. Because these pleading defects cannot be cured, dismissal with prejudice is also warranted under Rule 12(b)(6).

Dated: September 13, 2024

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